

Revised: 12:00 Noon, 1-12-11

AGENDA FOR THE HUNTSVILLE CITY COUNCIL REGULAR MEETING
TO BE HELD JANUARY 13, 2011 AT 6:00 P.M.
IN THE CITY COUNCIL CHAMBERS

CALL TO ORDER.

1. INVOCATION.

Councilman Will Culver
District Five Representative

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF MINUTES

- a. Regular Meeting held December 16, 2010.
(Minutes Received)

4. RESOLUTIONS AND SPECIAL RECOGNITIONS.

a. Mayor.

- 1. Presentation of Life Saving Medals to Officers Charles Draper and Matthew Edger.
- 2. Presentation of Employee Incentive Awards.
- 3. Recognition of Randolph Cross Country Team.

b. Council.

- 1. Adoption and Presentation.

2. Adoption Only.

- a. Resolution recognizing the 26th Annual Martin Luther King, Jr. Unity Breakfast sponsored by the Alpha Phi Alpha Fraternity, Incorporated, Delta Theta Lambda Education Foundation. The guest speaker is Attorney Mark J. Geragos with the law firm of Geragos & Geragos, Los Angeles, CA. (Showers)
- b. Resolution congratulating Mr. Charlie M. Barnes upon his retirement from the U.S. Army Aviation and Missile Command. A retirement celebration in his honor will be held at the Redstone Officers' and Civilian Club on January 13, 2011. (Showers)

c. Other Special Recognitions.

d. Announcements.

5. BUSINESS WITH OUTSIDE LEGAL REPRESENTATION.

6. PUBLIC HEARINGS.

- a. Public hearings to be held.
 - 1. Public hearing on a Resolution authorizing the City Clerk Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties. (Community Development)
- b. Public hearings to be set.
 - 1. Resolution to set a public hearing on an ordinance rezoning land lying on the south side of Bob Wallace Avenue, west of Whitesburg Drive and north of Thornton Avenue from Residence 2-A District to Residence 1-C District. (Set February 24, 2011 Regular Council Meeting) (Planning)
 - 2. Resolution to set a public hearing on an ordinance rezoning land lying on the north side of Drake Avenue, east of Patton road and west of McVay Street from Residence 2-B District to Neighborhood Business C-1 District. (Set February 24, 2011 Regular Council Meeting) (Planning)

3. Resolution to set a public hearing on an ordinance concerning the addition of new ARTICLE 75 – ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS to the City of Huntsville Zoning Ordinance; and amending Article 3 – Definitions, to remove current definitions pertaining to alcoholic beverage establishment regulations; and amending ARTICLES 20, 21, 22, 23, 24, 25, 40, 41, 44, 53 and 64 to delete alcoholic beverage establishment regulations from these articles; and amending ARTICLE 92 – BOARD OF ADJUSTMENT, Section 92.5 – Powers and Duties. (Set February 24, 2011 Regular Council Meeting) (Planning)

7. COMMUNICATIONS AND REPORTS.

- a. Communications from the Public.
- b. Reports

8. HUNTSVILLE UTILITIES ITEMS.

9. BOARD APPOINTMENTS.

- a. Board Appointments to be Voted on.
 1. Resolution to appoint James Splawn to the Solid Waste Disposal Authority, First Director for a term to expire January 1, 2015. (Nominated December 16, 2010 Regular Council Meeting) (Culver)
- b. Board Appointment Nominations.

10. APPROVAL OF EXPENDITURES.

- a. Resolution authorizing the expenditures for payments. (Finance Committee)
- b. Finance Committee Report.

11. COMMUNICATIONS FROM THE MAYOR.

12. COMMUNICATIONS FROM COUNCIL MEMBERS.

Councilman John Olshefski
Councilman Will Culver
Councilman Bill Kling
Councilman Richard Showers, Sr.
Councilman Mark Russell

13. UNFINISHED BUSINESS ITEMS FOR ACTION.

- a. Ordinance No. 10-998 for street name change from Constellation Drive to Constellation Place Drive. (Introduced December 16, 2010 Regular Council Meeting) (Planning)
- b. Resolution No. 10-1032 authorizing the Mayor to execute and deliver the 911 Emergency Telephone and Radio Service Agreement between the City of Huntsville and The Madison County Communications District. (Introduced December 16, 2010 Regular Council Meeting) (Administration)

14. NEW BUSINESS ITEMS FOR INTRODUCTION.

15. NEW BUSINESS ITEMS FOR CONSIDERATION OR ACTION.

- a. Request for approval to fill Planner II position, Grade 16 for Planning Department, and to advertise externally and hire above starting salary if necessary. (Planning)
- b. Resolution to amend the contract time of performance for The Pathfinder, Inc. The Pathfinder receives Emergency Shelter Grant Funds (ESG). (Community Development)
- c. Resolution authorizing the Mayor to execute a Subordination Agreement between the City of Huntsville and M&T Bank in connection with HOME DAP funds provided to Denise A. Robinson – 4605 Grizzard Road, Huntsville, AL 35810. (Community Development)
- d. Resolution authorizing the Mayor to sign Modification No. 2 to the agreement between the City of Huntsville, Alabama and Family Services Center, Inc. (Community Development)

- e. Resolution authorizing the Mayor to submit the City of Huntsville's 2010 – 2015 Citizen Participation Plan to HUD. (Community Development)
- f. Resolution appointing part-time judges for Municipal Court to serve as substitute judges. (Municipal Court)
- g. Resolution authorizing the Clerk Treasurer to invoke First Commercial Bank sidewalk letter of credit no. 1109 for Watercress Phase 1 Subdivision. (City Attorney)
- h. Resolution authorizing the Clerk Treasurer to invoke RBC Bank sidewalk letter of credit no. 2155 for Cross Creek Phase 1 Subdivision. (City Attorney)
- i. Resolution authorizing the Clerk Treasurer to invoke Regions Bank sidewalk letter of credit no. 55102133 for Olde Cobblestone Phase II Subdivision. (City Attorney)
- j. Resolution authorizing the Clerk Treasurer to invoke RBC Bank sidewalk letter of credit no. SB004067 for Holly Park Phase I at Lake Forest Subdivision. (City Attorney)
- k. Resolution authorizing the Clerk Treasurer to invoke RBC Bank sidewalk letter of credit no. SB004065 for Nandina at Lake Forest Subdivision. (City Attorney)
- l. Resolution authorizing the Clerk Treasurer to invoke RBC Bank sidewalk letter of credit no. SB004066 for Forest Meadow Phase I at Lake Forest Subdivision. (City Attorney)
- m. Resolution authorizing the Clerk Treasurer to invoke Regions bank sidewalk letter of credit no. L063908 for Clearwater Phase 4 Subdivision. (City Attorney) **DELETED**
- n. Resolution authorizing the Clerk Treasurer to invoke Regions Bank street trees letter of credit no. 55102141 of Olde Cobblestone Phase II Subdivision. (City Attorney) **DELETED**

- o. Resolution authorizing the Clerk Treasurer to invoke First Commercial Bank subdivision improvements letter of credit no. 1108 for Watercress Phase 1 Subdivision. (City Attorney)
- p. Resolution authorizing the Clerk Treasurer to invoke First Commercial Bank subdivision maintenance letter of credit no. 1041 for River Ridge Subdivision and River Ridge Subdivision IIA. (City Attorney) **DELETED**
- q. Resolution authorizing the Clerk Treasurer to invoke North Alabama Bank subdivision maintenance letter of credit no. 383 for Hampton Ridge Phase 5 Subdivision. (City Attorney)
- r. Resolution authorizing the city attorney to settle the lawsuit entitled *Gay Ann Nelson v. City of Huntsville*, Case No. CV-2008-949, in the Circuit Court of Madison County, Alabama. (City Attorney)
- s. Resolution authorizing the city attorney to settle the lawsuit entitled *Christine S. Hinson v. City of Huntsville, et al.*, Case No. CV-2009-901388, in the Circuit Court of Madison County, Alabama. (City Attorney)
- t. Resolution authorizing the acceptance of a \$27,000.00 grant from the Alabama Department of Homeland Security. (Emergency Management)
- u. Resolution authorizing the acceptance of a \$317,419.00 grant from the Alabama Department of Homeland Security. (Emergency Management)
- v. Resolution authorizing the acceptance of a \$28,675.00 grant from the Alabama Department of Homeland Security. (Emergency Management)
- w. Ordinance to amend Budget Ordinance No. 09-826, by changing the authorized personnel strength within the various departments. (Finance)
- x. Ordinance to amend Budget Ordinance No. 09-826, by changing appropriated funding within various departments and funds. (Finance)
- y. Resolution authorizing the acceptance of donations. (Finance)

- z. Resolution authorizing the Mayor to enter into agreements with the low bidder as specified in the attached Summary of Bids for Acceptance. (Finance)
- aa. Resolution authorizing the Mayor to execute Modification No. 1 to the agreement between that City of Huntsville and Radio Satellite Integrators for the Automatic Vehicle Location System. (Finance)
- bb. Resolution authorizing the Mayor to execute Change Order #4 to the agreement with Vratsinas Construction Company (VCC) with architectural support from Matheny Goldman Architects for the Von Braun Center Renovations. (Finance)
- cc. Resolution to authorize Modification No. 1 to the License agreement between the City of Huntsville and Response Advertising, L.L.C. dated August 24, 2006, as adopted by the City Council of the City of Huntsville by Resolution No. 06-807. (Parking & Public Transit)
- dd. Resolution authorizing the Mayor to amend the contract with Christopher Plumbing & Electric, Inc. for Nance Road Widening, Project No. 65-08-RD02, as adopted by Resolution No. 09-938 of October 8, 2009, by Change Order No. 1. (Engineering)
- ee. Resolution authorizing the Mayor to enter into an agreement with S&ME, Inc. for Construction Materials Testing Services for Clinton Avenue Bridge over Pinhook Creek Improvements, Project No. 65-04-BR08. (Engineering)
- ff. Resolution authorizing the Mayor to enter into an agreement with the Alabama Department of Transportation for a Cooperative Public Right-of-Way Agreement for Intersection Improvements at U. S. Highway 431 and Dug Hill Road, Project No. STPAA-STPHV-0001(531). (Engineering)
- gg. Resolution authorizing the Mayor to enter into an agreement with the low bidder, for Ware Park Pump Station, Forcemain and Sanitary Sewer, Project No. 65-09-SM01. (Engineering)

- hh. Resolution authorizing the Mayor to enter into an agreement with OMI, Inc. for Engineering Construction Administration Services for Stonemark Subdivision, Phase II Structural Repair, Project No. 65-10-RR02. (Engineering)
- ii. Resolution authorizing the Mayor to enter into an agreement with the low bidder, Christopher Professional Enterprises, Inc. for Old Madison Pike Sewer Pump Station Upgrade, Project No. 65-10-SM01. (Water Pollution Control)
- jj. Resolution authorizing the Mayor to enter in an agreement between Miller and Miller and the City of Huntsville for Change Order Number 1 to the contract for the Rotary Plaza located at 798 Monroe Street. (Facilities Projects Management)

16. LEGAL DEPARTMENT ITEMS/TRANSACTIONS.

- a. Vacation of Easements
 - 1. Ordinance authorizing the vacation of 2 Utility and Drainage Easements, between Lots 2 and 3, Block 1, Amhurst Phase VI, Plat Book 44, Page 88. (2192 & 2138 Poole Drive: Holden and O'Daniel.)
- b. Vacation of rights-of-way
- c. Deeds for acceptance

**CHURCH STREET EXPANSION PROJECT
PROJECT NO.: STPHV-8540 (600)**

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| 1. Tract 80 | NORFOLK SOUTHERN RAILWAY
COMPANY, a Virginia corporation
Acquired 11/17/2010 |
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**DILL STREET DRAINAGE IMPROVEMENTS
PROJECT NO.: 65-11-DM02**

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| 2. Drainage Easement | HAROLD VAN WHITE and wife, FAY WHITE
Acquired 12/01/2010 |
| 3. Drainage Easement | WILLIAM D. BUTLER and wife, REESE S.
BUTLER
Acquired 12/01/2010 |

4. Drainage Easement RON DERTING and wife, CAROLYN DERTING
Acquired 12/02/2010

5. Drainage Easement GARY W. PORIER and wife, SHARON PORIER
Acquired 12/01/2010

CEDAR PARK AT BELL GROVE MANOR

6. Drainage Easement Propst Properties, LLC
Acquired 11/22/2010

17. NON-ROSTER COMMUNICATIONS FROM THE PUBLIC.

18. ADJOURN.